

The Safe Haven for Abandoned Babies Act

Your Rights and Responsibilities Under the Law



Daniel's Law

In accordance with the law, this Safe Haven (defined as hospitals, law enforcement agency, fire station, emergency medical services station, and a house of worship during hours staff is there) and the South Carolina Department of Social Services are required to inform you about the legalities involved in your choice to place the infant in the care of the hospital facility. In accepting this document you understand the following:

- You are voluntarily placing this infant in the temporary care of the safe haven.
- The parent of this child did not express intent to return for the child.
- The child is thirty-days old or younger.
- The parent is granted immunity from prosecution for unlawful conduct or cruelty toward a child or any other violation for leaving the child if he or she is left with personnel or staff at a hospital or facility, law enforcement agency, fire station, emergency medical services station, and a house of worship during the hours that staff is there.
- Although your anonymity is guaranteed, you will be asked to provide any specific medical information regarding the infant and his or her parent(s) to help with the child's medical needs or treatment.
- The child has not sustained physical harm or injury. If the child has been harmed, you may not qualify for immunity under Daniel's Law.
- All information regarding the infant's health and medical history is confidential and will not be disclosed to anyone other than DSS.
- The South Carolina Department of Social Services (DSS) will be notified of this abandonment and will take custody of the child. Upon this notification, DSS assumes legal custody of the child.
- Within 48 hours after DSS has been notified, the department must file a petition with the local family court alleging the infants' abandonment.
- A hearing on the petition will take place no earlier than 30 and no later than 60 days of the petition. If there are any family members willing to claim custody of the infant, they must attend this hearing to assert their claim.
- DSS will publicize notice of the abandonment in all local newspapers where the child was abandoned.